

A Study of Connecticut's Public Act 15-211: Domestic Violence Program Standards



Purpose of Standards

- The use of DV Standards promotes consistency and quality to better hold defendants accountable, reduce recidivism, and most importantly increase victim safety.
- Standards typically specify the various policies and protocols used for screening and assessment, content, modality, qualifications, length of programming, training, and education
- For nearly two decades, court-mandated domestic violence offender intervention programs have become the primary means for addressing family violence – particularly IPV - with nearly every state existing with a set of statutory minimum standards for these types of offenders.
- The Washington State Institute for Public Policy in 2013 found that 44 states had statutory guidelines for domestic violence offender intervention (s) with Connecticut existing outside of that cohort. The Judicial Branch's EXPLORE and EVOLVE programs have standards built into contracting that meet or exceed the guidelines

Background Information Timeline

2013-
2014

In 2013-2014, upon a presentation from CCADV around a lack of statutory standards in CT, a CJPAC subcommittee was established to assess and develop Domestic Violence Program Standards for Connecticut.

2014

These Program Standards were presented to CJPAC on September 25, 2014.

2015

In 2015, Public Act 15-211 established statutory standards and a DV Offender Program Standards Advisory Council. The Advisory Council is charged with promulgating, reviewing and updating/amending the standards.

2016

July 1, 2016 standards took effect in criminal courts statewide. The Advisory Council also developed standard approval and application processes, an application process for providers and an established a webpage for individuals/professionals to access forms and the list of approved providers.

2016-
2017

The Advisory Committee focused extensively on outreach to stakeholders.

Implementation Challenges

1

The **first** major concern is that despite comprehensive outreach efforts, the number of agencies/individuals applying to be on the approved list is currently lacking statewide.

In a January 2018 mandated report to the Legislature's Judiciary Committee, the Advisory Council identified significant implementation and adherence challenges.

Currently, only 6 agencies and 6 individuals are on the list and the last approval occurred in 2017.

To further complicate the issue, there is no current mechanism to track the number of times an agency or individual providing services that adhere to the standards are utilized as part of a criminal case disposition.

Implementation Challenges

2

The **second** major concern was the application and utilization of the DV Standards in the criminal courts post implementation.

Specifically, Connecticut General Statute 54-56o:

Nolle prosequi in certain family violence cases was not being adhered to at the time of case disposition.

“For any family violence case initiated on or after July 1, 2016, that is not referred to the local family violence intervention unit as provided in subsection (g) of section 46b-38c, the prosecuting authority shall not enter a nolle prosequi as to any charge of a family violence crime, as defined in section 46b-38a, unless the prosecuting authority states in open court his or her reasons for the nolle prosequi and, if the reasons include consideration of the defendant's participation in a counseling or treatment program, a representation that such counseling or treatment program complies with the program standards promulgated under section 46b-38f.”

Anecdotal reports from individuals within the system strongly suggested that this statute was not being followed and overall the implementation of the DV Standards in practice did not occur.



Grant Report

- Given the significant implementation issues, the Advisory Council sought a small federal OVW grant to conduct an independent evaluation.
- Funding allowed faculty from the Institute for the Study of Crime and Justice at Central Connecticut State University to conduct stakeholder focus groups and analyze court disposition data obtained from JB-Court Support Services Division.
- The focus groups included State's Attorneys, Domestic Violence Advocates, JB-CSSD Family Relations Counselors, and representatives from the private provider network.
- The court data secured for the research comprised all the domestic violence arrests occurring in calendar year 2016.

Grant Study Findings

1

Public Act 15-211 has had minimal to no effect on changing the court processing of domestic violence offenders.

2

The court dispositions for domestic violence cases were similar before and after the legislation took effect.

3

Focus group participants did not report seeing changes in how non-JB-CSSD mandated cases were being handled in court.

4

Stakeholders have a high level of confidence in JB-CSSD mandated programs & services but do not feel the same way about services that do not follow the standards.

5

Stakeholders have a high level of confidence in JB-CSSD mandated programs & services but do not feel the same way about services that do not follow the standards.



Grant Study Findings

Of major concern was the following expressed by the focus group representing the community-based private treatment or counseling providers:

Many providers did not seek approval to provide treatment and counseling services that met the DV Standards because:

- The professionals did not believe there would be a change in the amount of referrals as they were already a preferred provider for many defendants
- There was no motivation to be added to the approved list because they already did the work and were getting court referrals



Grant Study Recommendations

Programmatic:

- Systems partners, (CCADV, CSSD, CSA) create ways to provide more service options for more serious offenders across courts and educate courts on various program options
- There is a need for more unique and flexible program options such as wrap around services for victims, offenders, children and others affected by domestic violence
- Create and maintain a directory of available services for each court. This would include contracted programming, those providers on the approved list, and other programs geared toward the specialized needs of defendants



Grant Study Recommendations

Research:

- Build a centralized database or case management system to house case-specific information for prosecutors
- Conduct further research involving case reviews with prosecutors
- CCADV should consider creating a “Court Watch” program with the goal of observing the court process daily relative to adherence to the DV Standards

Action Steps

- Met with Chief Administrative Judge – Criminal to provide an update on the DV Standards implementation concerns
- Met with the Chief State’s Attorney and his Deputy to discuss adherence to PA 15-211
- Created Subcommittees within the Advisory Council to:
 - Review and Amend the DV Standards Provider Agreement
 - Develop a Series of Outreach Strategies within Available Resources



Future Action Steps

- Emphasize ongoing training among system partners – Judicial, CSA, Advocacy – around DV Offender Program Standards
- CT OPM submitted a grant to OVW – will hear Oct. 1st – to offer full-time attention to the implementation of the standards
- Provide an update to the Legislature this session regarding the standards as required by statute